

## **REMARKS**

The Examiner is thanked for the thorough Examination of the present application, the allowance of claims 39-46, and the indication that claim 29 defines allowable subject matter. The Office Action, however, maintained the rejections of the remaining claims 25, 27, 28, and 30. In response, Applicant submits the foregoing amendments and following remarks. Specifically, Applicant has amended claim 25 to incorporate the allowable subject matter of claim 29. The Applicant also adds new claims 47-51, which are supported by at least Figs 5-10 (and related description thereto in the specification) of the original application. Accordingly, Applicant submits that the foregoing amendments add no new matter to the application. Reconsideration of the rejections and allowance of the application and presently pending claims are respectfully requested.

### **Rejections under 35 U.S.C. 102**

Claims 25, 27, 28, and 30 stand rejected under 35 U.S.C. 102(e) as allegedly anticipated by U.S. 6,939,812 of Broekaart et al. Of these claims, claim 25 is the only independent claim, and the rejection of claim 25 has been rendered moot by the amendment to claim 25, which incorporates the allowable subject matter of claim 29.

In this regard, claim 25 has been amended to incorporate the allowable subject matter of claim 29. In addition, claim 25 is further amended to remove a feature that is not required for patentability. Thus, Applicant respectfully asserts that the 102 rejection of above claims should be removed and that claim 25 is in condition for allowance. Insofar as claims 27, 28, and 30 depend from claim 25, these claims also are in

condition for allowance.

New claims 47-51 define novel features that patently define over the cited art. In this regard, only claim 47 is independent and it recites:

47. A planar insulating layer with contact openings on a substrate having device areas comprised of:  
a conducting layer having an anti-reflective coating on top surface and patterned to have open areas on said substrate;  
said planar insulating layer on said patterned conducting layer having said contact openings of varying depths to said device areas;  
some of said contact openings extending down to and over an sidewall of said patterned conducting layer within said opening areas for forming low-resistance contacts to said sidewall of said patterned conducting layer, ***wherein at least two of said contact openings extending down to and over an edge of said patterned conducting layer within said opening areas are etched over said sidewall of said patterned conductive layer in said opening areas on opposite sides of said open areas to allow for more relaxed alignment tolerances.***

(*Emphasis added*). Claim 47 patently defines over the cited art for at least the reason that the cited art fails to disclose the features emphasized above. As new claims 48-51 depend from claim 47, those claims patently define over the cited art as well.

Therefore, Applicants respectfully submit that the rejections can be withdrawn and requests that a timely Notice of Allowance be issued in this case.

No fee is believed to be due in connection with this Amendment and Response to Office Action. If, however, any fee is deemed to be payable, you are hereby authorized to charge any such fee to Deposit Account No. 20-0778.

Respectfully submitted,

/Daniel R. McClure/

---

Daniel R. McClure  
Registration No. 38,962

**THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500